

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : DeLima et al.
Serial No. : 09/912,570
Filed : July 24, 2001
Title : DYNAMIC HTTP LOAD BALANCING METHOD AND APPARATUS
Attorney Docket : RSW920000124US1/IBM012PA
Examiner : H. Phillips
Art Unit : 2151
Confirm No. : 5486

MAIL STOP ISSUE FEE

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

COMMUNICATION REGARDING THE EXAMINER'S REASONS FOR ALLOWANCE

This paper is being filed in response to Examiner's Statement of Reasons for Allowance attached to the Notice of Allowability mailed September 11, 2008.

Comments Regarding The Examiner's Reasons For Allowance

Applicants have fully complied with 37 CFR §1.111 (b) and (c) and 37 CFR §1.133(b) and thus believe that the prosecution *as a whole* makes clear the reasons for allowance thus satisfying 37 CFR §1.104(e). As such, the comments by the Examiner in the Reasons for Allowance serve only to confuse an otherwise clear record and should not be construed to place unwarranted interpretations, whether broad or narrow, upon the allowed claims and should not give rise to any negative implications therefrom. The applicants specifically do not acquiesce to any negative inferences that may flow from the Examiner's Reasons For Allowance.

Respectfully submitted,
Stevens & Showalter, L.L.P.

By /Thomas E. Lees/
Thomas E. Lees
Registration No. 46,867

7019 Corporate Way
Dayton, Ohio 45459-4238
Telephone: (937) 438-6848
Facsimile: (937) 438-2124

December 10, 2008